

# HOUSE BILL 462

F1

0lr1736

---

By: Delegates Kaiser, McIntosh, ~~and Mizeur~~ Mizeur, Pendergrass, Benson, Costa, Kullen, Montgomery, Nathan-Pulliam, Pena-Melnyk, Tarrant, and V. Turner

Introduced and read first time: January 29, 2010

Assigned to: Health and Government Operations

---

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2010

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education – Discrimination Prohibited – Protected Classes**

3 FOR the purpose of conforming provisions of law relating to discrimination in the  
4 employment of teachers in the public schools in the State to other provisions of  
5 State law governing discrimination in employment; and generally relating to  
6 protected classes of employees under provisions of law governing discrimination  
7 in the employment of teachers in the public schools in the State.

8 BY repealing and reenacting, with amendments,  
9 Article – Education  
10 Section 6–104  
11 Annotated Code of Maryland  
12 (2008 Replacement Volume and 2009 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Education**

16 6–104.

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) This section applies to the appointment, assignment, compensation,  
 2 promotion, transfer, dismissal, and any other matter that relates to the employment of  
 3 teachers in the public schools in this State.

4 (b) The State Superintendent, a county board, a county superintendent, or  
 5 an assistant to any one of these may not make any distinction or discriminate in favor  
 6 of or against any teacher in the employment of a public school of this State because of  
 7 race, religion, color, **ANCESTRY OR** national origin, [handicap, or] sex, **AGE, MARITAL**  
 8 **STATUS, SEXUAL ORIENTATION, OR DISABILITY UNRELATED IN NATURE AND**  
 9 **EXTENT SO AS TO REASONABLY PRECLUDE THE PERFORMANCE OF THE**  
 10 **EMPLOYMENT** except[:

11 (1) As], **AS** to sex, if the employment of a certain sex is reasonably  
 12 necessary because of the nature of the employment[; and

13 (2) As to handicap, if the handicap adversely affects the person's  
 14 ability to perform the duties of the position].

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
 16 October 1, 2010.

Approved:

---

Governor.

---

Speaker of the House of Delegates.

---

President of the Senate.